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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,087	09/12/2005	Ning-Ping Chan	QNAT0001P	1993
<div>7590 LEON E. JEW, Esq. DAHYTEE LAW GROUP Suite 288 5776 Stoneridge Mall Rd. Pleasanton, CA 94588</div>				
<div>06/02/2010</div>				
<div>EXAMINER YEN, ERIC L.</div>				
<div>ART UNIT 2626</div>				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,087

Applicant(s)

CHAN, NING-PING

Examiner

ERIC YEN

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8, 15, 32, 59 and 60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8, 15, 32, 59 and 60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the Advisory Action mailed 4/15/09, applicant has submitted an amendment and Request for Continued Examination filed 4/30/10.

Claims 8, 15, and 32, have been amended. Claims 42 and 49 have been cancelled. New claims 59 and 60 have been added.

Response to Arguments

1. Applicant's arguments with respect to claims 8, 15, 32, 59, 60, have been considered but are moot in view of the new ground(s) of rejection.

Since the scope of the claims have changed, the claims are again considered without regard to the previous indication of allowability because the previous indication was dependent on the independent claims CONSISTING of those steps.

Applicant makes statements that Proszeky and Ito do not teach the individual claim limitations, but as discussed below they do, in combination still teach the currently claimed steps.

Claim Objections

2. Claims 8, 15, 32, 59, 60, objected to because of the following informalities:
3. "the user's mouse pointer" has no antecedent basis.

4. Claim 32 recites "web server" which should be --web server's--.
5. Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 15, 59, 60, are rejected under 35 U.S.C. 103(a) as being unpatentable over Proszeky ("Experience from Translation of EU documents", EAMT Workshop, April 22-23, 1999. <http://www.mt-archive.info/EAMT-1999-TOC.htm>), in view of Kutsumi (US 5,826,219) and Mandt (US 6,621,532).

As per Claim 8, 15, 59, 60, Proszeky teaches/suggests in a computer environment in which a user interacts with a mouse and a screen, a system (and corresponding method) for carrying out a process for providing the user with an annotation on a piece of textual information in a first language contained in an electronic document displayed ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header) consisting of

a module for screen-scraping a segment of text adjacent to, or overlaid by, the user's mouse pointer ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header; isolating the image for performing the recognition "scrapes" the word/text from the screen and is dependent on the mouse pointer's position)

a module for calibrating said screen-scraped segment of text into a query, the length of said segment of text being automatically adjusted according to one or more logic, linguistic and/or grammatical rules ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header; "multi-word expressions... phrasal compound", Section 4.2; "looks up all words and expressions", Section 4.7; performing the recognition to read the text "calibrates" the image into a computer-understandable text to be translated, and multi-word expressions are what they are based on the grammatical/linguistic structure of their respective languages)

a module for translating said query into a second language by looking up a database ("translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header)

a module for displaying on the user's screen a callout dynamically associated with the user's mouse pointer, said callout containing said query's translation and being adaptive to fit a content therein ("displays its translation", Section 4, especially the 2nd

paragraph above the Section 4.1 Header; where the display of the translation at least obviously includes the entire translation, and as such the image presented which includes the display at least obviously is big enough to fit the translation)

Proszeky fails to teach a bilingual annotation, and where the callout contains said query as well.

Kutsumi teaches/suggests a bilingual annotation, and where the callout contains said query as well ("when displaying a translation result... given original phrase and its corresponding translated phrase can be displayed... other phrases... in ordinary display mode", col. 21, lines 45-54; where Kutsumi teaches highlighting both the original and the translation, which at least suggests where the display in Proszeky is displayed with the original to set it apart from other phrases, as described in Kutsumi).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Proszeky to include the teaching of Kutsumi of a bilingual annotation, and where the callout contains said query as well, in order to distinguish translated text from ordinary text for easier recognition of what is translated, as described by Kutsumi (col. 21, lines 45-54).

Proszeky fails to teach further translating by applying a set of logic, linguistic, and grammatical rules.

Kutsumi teaches translating by applying a set of logic, linguistic, and grammatical rules ("grammar rule data... other translation rule data... used for the translation", col. 6, lines 27-41; where Kutsumi teaches translation via grammatical rules which reflect

linguistic qualities of the language it applies to, and uses a form of logic to correctly apply the correct translation)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to perform a **simple substitution** of Proszeky's translation with the grammar-rule-based translation described in Kutsumi because Proszeky **contained a device which differed from the claimed device by the substitution** of whatever translation method Proszeky uses with grammar-rule-based translation taught in Kutsumi. Kutsumi teaches that grammar-rule-based translation **was known in the art**. One of ordinary skill in the art could have substituted one translation method with another to obtain the **predictable results** of a machine that performs translation.

Proszeky, in view of Kutsumi, fail to teach where the callout has a tail which approximately overlaps the user's pointer.

Mandt suggests where the callout has a tail which approximately overlaps the user's pointer ("bubble help... passes the mouse pointer over... bubble help window appears... bubble help is located in close proximity", col. 8, lines 34-46; Figure 4; where Mandt teaches bubble help [callout] close to the pointer [approximately overlaps] and in Figure 4 displays a bubble with a tail, and so it is obvious that the bubble help that is near the pointer has a tail which points to the item the user pointed to because the tail would have a misleading effect otherwise).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to perform a **simple substitution** of Proszeky's translation display with Mandt's bubble help with tail because Proszeky **contained a device which differed**

from the claimed device by the substitution of the display with a bubble help with tail display. Mandt teaches that the **substitute** bubble help with tail display **was known in the art**. One of ordinary skill in the art at the time of invention could have substituted one translation display for another to obtain the predictable results of a translation system that provides a displayed translation to a user.

8. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Proszeky ("Experience from Translation of EU documents", EAMT Workshop, April 22-23, 1999. <http://www.mt-archive.info/EAMT-1999-TOC.htm>), in view of Kutsumi (US 5,826,219) and Mandt (US 6,621,532) and Scanlan (US 6,857,022).

As per Claim 32, Proszeky teaches/suggests a method for returning to a remote user from a web server an annotation on a piece of textual information in a first language ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header)

consisting of

moving the user's mouse pointer to a place in the user's screen, screen-scraping a segment of text adjacent to, or overlaid by, the user's mouse pointer ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header; isolating the image for performing the recognition

"scrapes" the word/text from the screen and is dependent on the mouse pointer's position)

the length of said segment of text being automatically adjusted according to one or more logic, linguistic and/or grammatical rules ("enables a user to see the translation of displayed text... only has to move the mouse pointer over... character recognition... displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header; "multi-word expressions... phrasal compound", Section 4.2; "looks up all words and expressions", Section 4.7; performing the recognition to read the text "calibrates" the image into a computer-understandable text to be translated, and multi-word expressions are what they are based on the grammatical/linguistic structure of their respective languages)

calibrating said screen-scraped segment of text into a query according to one or more rules, translating said query into a second language by looking up a database ("translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header)

displaying on the user's screen a callout dynamically associated with the user's mouse pointer, said callout containing said query's translation and being adaptive to fit a content therein ("displays its translation", Section 4, especially the 2nd paragraph above the Section 4.1 Header; where the display of the translation at least obviously includes the entire translation, and as such the image presented which includes the display at least obviously is big enough to fit the translation)

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Proszeky to include the teaching of Kutsumi of a bilingual annotation, and where the callout contains said query as well, in order to distinguish translated text from ordinary text for easier recognition of what is translated, as described by Kutsumi (col. 21, lines 45-54).

Proszeky fails to teach further translating by applying a set of logic, linguistic, and grammatical rules.

Kutsumi teaches translating by applying a set of logic, linguistic, and grammatical rules ("grammar rule data... other translation rule data... used for the translation", col. 6, lines 27-41; where Kutsumi teaches translation via grammatical rules which reflect linguistic qualities of the language it applies to, and uses a form of logic to correctly apply the correct translation)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to perform a **simple substitution** of Proszeky's translation with the grammar-rule-based translation described in Kutsumi because Proszeky **contained a device which differed from the claimed device by the substitution** of whatever

translation method Proszeky uses with grammar-rule-based translation taught in Kutsumi. Kutsumi teaches that grammar-rule-based translation **was known in the art**. One of ordinary skill in the art could have substituted one translation method with another to obtain the **predictable results** of a machine that performs translation.

Proszeky, in view of Kutsumi, fail to teach where the callout has a tail which approximately overlaps the user's pointer.

Mandt suggests where the callout has a tail which approximately overlaps the user's pointer ("bubble help... passes the mouse pointer over... bubble help window appears... bubble help is located in close proximity", col. 8, lines 34-46; Figure 4; where Mandt teaches bubble help [callout] close to the pointer [approximately overlaps] and in Figure 4 displays a bubble with a tail, and so it is obvious that the bubble help that is near the pointer has a tail which points to the item the user pointed to because the tail would have a misleading effect otherwise).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to perform a **simple substitution** of Proszeky's translation display with Mandt's bubble help with tail because Proszeky **contained a device which differed from the claimed device by the substitution of** the display with a bubble help with tail display. Mandt teaches that the **substitute** bubble help with tail display **was known in the art**. One of ordinary skill in the art at the time of invention could have substituted one translation display for another to obtain the predictable results of a translation system that provides a displayed translation to a user.

Proszeky, in view of Kutsumi and Mandt, fail to teach in a computer network which supports a software application, said application having a graphical user interface embedded in each page of a web server's website, said graphical user interface having means for activation or deactivation of said application and means for selecting a second language from a list of language, and where the textual information is contained in the website supported by the web server, sending said screen-scraped segment of text to the web server.

Scanlan suggests in a computer network which supports a software application, said application having a graphical user interface embedded in each page of a web server's website, said graphical user interface having means for activation or deactivation of said application and means for selecting a second language from a list of language (Figure 6, where Scanlan teaches the activation buttons, etc. and the translation being done in a server and the selection of languages),

and where the textual information is contained in the website supported by the web server, sending said screen-scraped segment of text to the web server (Figure 1, "processes the request by translating the text... transferred to the customer's browser and displayed in the requested language", col. 3, lines 32-45; "web page", col. 3, lines 3-13; where Scanlan teaches that the translation is done remotely and so the remote location "serves" the customer with the translated information; Figure 1, "processes the request by translating the text... transferred to the customer's browser and displayed in the requested language", col. 3, lines 32-45; "web page", col. 3, lines 3-13; where Scanlan teaches that the translation is done remotely and shows in Figure 1 that

documents [i.e., website/translation] is communicated between the customer/client and the translation server/manager. Scanlan also teaches translating graphics in col. 3, lines 32-46 and so suggests where the translation and OCR is done by the server as well)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to **perform a simple substitution** of whatever Proszeky's interface/at-least-local-translation is with Scanlan's interface/web-based-translation because the Proszeky's interface **differs from the claimed device** by the use of an interface with language selection and activation and web-based translation. Scanlan teaches that an interface including language selection and activation/deactivation **was known in the art**. One of ordinary skill in the art at the time of invention **could have substituted** one interface for another and an at least local translation with another web based translation in order to obtain the **predictable results** of a web document translation system that has a graphical user interface.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC YEN whose telephone number is (571)272-4249. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richmond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EY 6/1/10
/Eric Yen/
Examiner, Art Unit 2626